

MARIJUANA DATA COLLECTION ACT
Rep. Tulsi Gabbard (HI-02) and Rep. Don Young (AK-At Large)

Dear Colleague

Endorsed By: NORML, National Cannabis Industry Association, Veterans Cannabis Coalition

Purpose: A bill to create a federally recognized report by a neutral arbitrator on the status of state-legal marijuana programs, both medical and non-medical use. This is necessary since one of the most repeated points about marijuana policy is that the data does not exist. Rather, it is the federal government largely refuses to acknowledge the state-or private organization-led prepared reports on the impacts of state-level regulated markets.

Background: Several studies by prominent healthcare associations or publications have produced data that looks into states that have legalized marijuana and the benefits legalization has produced for the state from an economic, criminal justice, and healthcare perspective, among others. Despite these reports, marijuana remains a controversial topic, fueled by its misplaced stigma, and the “war on drugs” rhetoric from various prominent law enforcement officials. Recently, President Trump stood by his original position to allow states to continue to go without federal interference, but authorizing legislation that would deschedule, or allow research for medical and/or non-medicinal marijuana has yet to advance in Congress.

Goal: The purpose of this legislation is to collect and synthesize relevant data and to generate a federally recognized, neutral report regarding the impact of statewide marijuana legalization schemes. Such a report will assure that federal discussions and policies specific to this issue are based upon the best and most reliable evidence available at this time.

Bill Overview:

- The purpose of this bill is to require a study on the effects of state legalized marijuana programs – both medicinal and non-medicinal – in correlation with several aspects of legalization, from state revenues, public health, substance abuse and opioids, criminal justice, and employment.
- Specifically, this bill requires the Secretary of HHS to coordinate with the DOJ, DOL, and States (to the greatest extent possible) and direct the National Academy of Sciences (NAS) to publish a biannual study on the effects of state legalized marijuana programs on revenues and state allocations, public health, substance use, criminal justice, and employment.
- The Report also will include a section outlining best practices by states for data collection, as well as outline any barriers preventing data collection and any gaps in data, explaining how to overcome these barriers and gaps in future studies.

Section by Section

Section 2 – Findings

- Describes the amount of states that have legalized marijuana for medicinal and non-medicinal use, as well as how many Americans favor legalization.
- Provides a statistic on the effect of substance abuse.
- Outlines studies from the Journal of the American Medical Association and the American Journal of Public Health that demonstrate a correlation between marijuana legalization and substance abuse.
- Explains that due to marijuana legalization, states have generated millions in taxes and revenue and have allocated these funds into public health, education, economic development, restorative justice, and job creation.
- Finds that state marijuana programs stand to benefit states' public health, education, economic, and law enforcement and judicial sectors.

Section 3 – Report Concerning the Effects of State Legalization Marijuana Programs

- Creation of a Report: Requires the Secretary of HHS to coordinate with the DOL, DOJ, and States (to the greatest extent possible) and direct NAS to publish a biannual study on the effects of state legalized marijuana programs. The Report will be completed within 18 months and submitted to Congress.
- Study Considerations: The Report will study yearly rates and trends with regard to:
 - *Revenues and State Allocations*: The monetary amount generated, how those funds were used, and the impact on the State and its budget.
 - *Public Health*: The rates of medicinal use among different population groups and the purpose and method of such use.
 - *Substance Use*: The rate of opioid and other painkiller overdoses, prescriptions, admissions to health facilities, and related crimes.
 - *Criminal Justice*: The rate of marijuana-related arrests and prosecutions on both the state and federal level, disaggregated by age, sex, race, and ethnicity, and the amount expended for marijuana-related enforcement.
 - *Employment*: Jobs created and expected directly and indirectly from the marijuana industry.
- Best Practices: The Report also will include a section outlining and recommending best practices for states for data collection.
- Study Timeframe: The study will consider data collected beginning 5 years before the effective date of legalization in a given state, ending on a date determined by NAS to allow collection and analysis of most recent data available.
- Barriers and Gaps: The Report also will outline any barriers preventing data collection and any gaps in data, explaining how to overcome these barriers and gaps in future studies.

We will be introducing this bill on March 7, 2019.

For more information, or if you would like to cosponsor the Marijuana Data Collection Act of 2018, please contact Patrick Koetzle (patrick.koetzle@mail.house.gov) with Rep. Gabbard or Jesse Von Stein (jesse.vonstein@mail.house.gov) with Rep. Young.